

**SEP 14 2006**

**CATHY A. CATTERSON, CLERK**  
**U.S. COURT OF APPEALS**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

In re: JEFFREY KEARNS; In re:  
DINETHA KEARNS,

Debtors,

JEFFREY KEARNS; DINETHA  
KEARNS,

Appellants,

V.

TRANSAMERICA HOME LOAN,

Appellee.

No. 04-56920

BAP No. CC-03-01529-KMoA

MEMORANDUM<sup>\*</sup>

Appeal from the Ninth Circuit  
Bankruptcy Appellate Panel  
Alley, Montali, and Klein, Bankruptcy Judges, Presiding

Submitted August 17, 2006<sup>\*\*</sup>  
Pasadena, California

Before: KOZINSKI, O'SCANLAIN, and BYBEE, Circuit Judges.

---

<sup>\*</sup> This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

We affirm for substantially the same reasons as given by the Bankruptcy Appellate Panel. See *In re Kearns*, 314 B.R. 819 (9th Cir. B.A.P. 2004).